



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/686,467	10/12/2000	Mitsuaki Oshima	2000_1420	3378
7590 Wenderoth Lind & Ponack 2033 K Street Suite 800 Washington, DC 20006			EXAMINER HA, DAC V	
			ART UNIT 2611	PAPER NUMBER
			MAIL DATE 02/29/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

Application No.

09/686,467

Examiner

Dac V. Ha

Applicant(s)

OSHIMA ET AL.

Art Unit

2611

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to request from applicant on 02/07/08.
2. ☒ The allowed claim(s) is/are 38-41, renumbered as 13-16, respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Jeffrey R. Filipek (Reg. No. 41,471) on 02/07/08.

The application has been amended as follows:

In the specification, replace the first paragraph with:

This is a reissue application of U.S. Patent No. 5,600,672, issued February 4, 1997, and a divisional application of reissue application No. 09/244,037, filed February 4, 1999, which is also a reissue application of U.S. Patent No. 5,600,672, issued February 4, 1997 which is a Continuation-In-Part of application Serial Number 07/857,627, filed March 25, 1992 now abandoned. Further reissue divisional applications have been filed, all of which are reissues of Patent No. 5,600,672. These further applications are: 09/677,421, filed October 5, 2000; 09/678,014, filed October 5, 2000; 09/677,420, filed October 5, 2000; 09/680,177, filed October 5, 2000; 09/680,176, filed October 5, 2000; 09/662,695, filed September 15, 2000; 09/686,463, filed October 12, 2000; 09/686,466, filed October 12, 2000; 09/688,028, filed October 12, 2000; 09/686,464, filed October 12, 2000; 09/686,465, filed October 12, 2000; 09/666,012, filed September 19, 2000; 09/667,525, filed September 21, 2000; 09/667,438, filed September 21, 2000; 09/668,068, filed September 25, 2000; 09/669,916, filed September 25, 2000; 09/672,948, filed September 29, 2000; 09/672,946, filed September 29, 2000; 09/672,947, filed September 29, 2000; 10/133,347, filed April 29, 2002; 10/133,364, filed April 29, 2002; 10/692,469, filed October 24, 2003; 10/693,526, filed October 27, 2003; 10/635,468, filed August 7, 2003; 10/690,297, filed October 27, 2003; 10/860,666, filed June 4, 2004; 10/782,411, filed February 20, 2004; 10/783,588, filed February 23, 2004; 10/773,811, filed February 9, 2004; 10/882,126, filed June 30, 2004; 10/885,572, filed July 7, 2004; 10/911,680, filed August 5, 2004; and 11/038,006, filed January 19, 2006.

2. The following is an examiner's statement of reasons for allowance:

This Supplemental Examiner's Amendment is only to correct information in the Cross-Reference To Related Applications section of the Specification. All claims were allowed as previously indicated.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dac V. Ha whose telephone number is 571-272-3040. The examiner can normally be reached on 4/4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Payne can be reached on 571-272-3024. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number:  
09/686,467  
Art Unit: 2611

Page 4

A handwritten signature in black ink, appearing to read 'Dac V. Ha', with a long horizontal line extending from the end of the signature.

Dac V. Ha  
Primary Examiner  
Art Unit 2611